

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD  
ON WEDNESDAY, JUNE 19, 2019 AT 6:00 P.M. IN THE CITY OF LAS VEGAS  
COUNCIL CHAMBERS**

**MAYOR:** Tonita Gurulé-Girón

**COUNCILORS:** David A. Ulibarri, Jr.  
Vincent Howell  
Barbara A. Casey  
David G. Romero

**ALSO PRESENT:** Ann Marie Gallegos, Interim City Manager  
Danielle Sena, Recorder  
Esther Garduno Montoya, City Attorney  
David T. Bibb III, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Romero asked for a moment of silence to remember those in the community who had recently passed and prayers for Council and all government employees to continue to work for the best interest of the community.

**APPROVAL OF AGENDA**

Councilor Casey made a motion to approve the agenda as is. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                  |     |                        |     |
|------------------|-----|------------------------|-----|
| Vincent Howell   | Yes | David G. Romero        | Yes |
| Barbara A. Casey | Yes | David A. Ulibarri, Jr. | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

## **APPROVAL OF MINUTES**

Councilor Casey made a motion to approve the minutes for May 8th Work Session, May 15th Regular and May 22nd, 2019 Budget Hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                        |     |                  |     |
|------------------------|-----|------------------|-----|
| David A. Ulibarri, Jr. | Yes | Barbara A. Casey | Yes |
| David G. Romero        | Yes | Vincent Howell   | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

## **MAYOR'S APPOINTMENTS/REPORTS**

None at this time.

## **MAYOR'S RECOGNITIONS/PROCLAMATIONS**

Deputy Clerk Danielle Sena read a recognition on behalf of Mayor Gurulé-Girón and the Governing Body recognizing Miguel Coca for helping Iowa Central College capture a national championship in men's track and field as a freshman and now holds the prestigious honor of All-American also for his dedication to the sport of track & field and for representing Las Vegas and the State of New Mexico.

Deputy Clerk Sena read recognitions on behalf of Mayor Gurulé-Girón and the Governing Body regarding the Robertson High School Cardinals Baseball Team for winning the 2019 3A State Championship which included the following: Brandon Lucero, Antonio Cordova, Austen King, Antonio Padilla, Jason Gold, Caleb Marrujo, Steven Lovato, Steven Pedro, Isaiah, Ortiz, Kenneth Archuleta, Derrick Montano, Lance Romero, Ace Gonzales, Martin Vigil, Coach Leroy Gonzales, Coach Joel Silva, Coach Kenneth Sandoval, Coach Chris Najjar, Coach Jaryd Marquez and Coach Joshua Romero.

Deputy Clerk Sena read recognitions on behalf of Mayor Gurulé-Girón and the Governing Body regarding the West Las Vegas High School Dons Baseball Team for placing Runner-Up in the 2019 3A State Championship which included the following: Antonio Bustamante, Marcos Solano, Sammy Vigil, Jayden Perea, James Archuleta, Estevan Gonzales, Elijah Alarcon, Joaquin Perea, Pablo Leyba, Josiah Baca, Omar Gallardo, Emilio Gonzals, Andres Ulibarri, Jayden Herrera, Roy Pacheco Jr., Manager Roy Pacheco, Asst. Coach Robert Alarcon, Asst. Coach Salvador Archuleta, Asst. Coach Kimberly Barros and Athletic Director Valerie Villa-Lopez.

## **PUBLIC INPUT**



Robert Pearson stated that tomorrow was "World Refugee Day" and spoke in regards to the support for refugees resolution passed by Council in January 2018. He gave a detailed update on the situations of refugees and asylum seekers.

Carrol Pearson asked Council to remember the time the refugee resolution was passed unanimously by them and spoke briefly in regards to the support needed for resettlement of refugees, the vetting process and of a Lebanese family who was still waiting for permission to come to the United States.

Margaret Villanueva spoke briefly regarding some of the rights of asylum seekers, border situations and the asylum seeker process. She advised of several organizations that were assisting asylum seeker families.

### **PRESENTATIONS**

Utilities Director Maria Gilvarry gave a detailed presentation on the 2018 Water Consumer Confidence Report (CCR). She advised that the evaluation for CCR met all EPA Water Quality standards, gave a detailed history report on the Safe Water Drinking Act and advised that the report was published in the Las Vegas Optic, included in Utility bills, pamphlets were handed out and was available on the City's website.

Brief discussion took place regarding the quality of the City's water.

Councilor Casey thanked Ms. Gilvarry for the report and thought it was a good information source.

### **CITY MANAGER'S REPORT**

Events Planner Angie Lyster gave a detailed report regarding the 4th of July Fiestas scheduled events.

Councilor Casey asked who came up with the Fiesta theme.

Events Planner Lyster advised that the Mayor came up with the theme.

Councilor Casey stated she was wondering due to it being a more religious theme rather than being focused on Independence Day. She asked in regards to receiving

cash for popcorn sales, was it deposited to the Finance Director on a daily or weekly basis?

Interim Community Development Director Virginia Marrujo advised that it was deposited on a daily basis, due to having other staff assisting with the sales and that the main account for the money would go through Rosita to make it easier to get what they need. She stated that it would go through the committee and that they would be managing the funds although they would keep copies and track of that.

Councilor Casey asked if it would be treated like petty cash.

Ms. Marrujo advised that the committee would have that as a separate account strictly for the Reinas.

Councilor Casey stated that the advertisement for the TA Rodeo stated "cash only" and asked what percentages would they be receiving from Bennett Carnival.

Ms. Lyster advised that regarding the rodeo, the City would collect all gate fees, would have lock bags that they would check out cash in bags every shift and the money would also cover the cost of the buckles.

Councilor Casey asked if there would be security present due to employees dealing with cash.

Ms. Lyster advised that they had not thought of having security.

Councilor Casey advised that they needed to make sure that safety was priority due to having to handle money and asked how they determined how much the City would receive from the Carnival and asked how the City would receive the payment.

Ms. Marrujo advised that the carnival agreement was the same as last year and the City would receive 19% of the sales and informed that in regards to receiving the payment, at the end of the Fiestas, Shayleen would come to City Hall and they would get together, go through tickets and count the money several times and after that..... **Inaudible 47:10.**



Councilor Casey advised that her main concern was the safety of employees in dealing with the money, she thanked everyone for their work and thought that Helen Rivera was a great pick for Grand Marshal, as she did a lot for the community. She asked that typographical errors in the Mayor's letter and misspelling on performers' names on the " visit las vegas" website would be corrected.

Mayor Gurulé-Girón stated that she was usually very careful with mistakes although did not know what had happened and added that no offense to the Optic although every letter and article she sent to them was misquoted and hoped that that would improve.

Mayor Gurulé-Girón addressed Councilor Casey's concerns regarding the choosing of the 4th of July title theme and relating to that she mentioned that she wrote a response & opinion letter to the City in 2012 which was read into the record at that time, regarding a change to the site of the Reina by a former Mayor and stated that Nuestra Senora de Los Dolores originated at Our Lady of Sorrows and should remain. She read her statement into the record as follows:

*-From its very founding, Las Vegas, New Mexico namesake Nuestra Senora de Los Dolores at Las Vegas Grandes has paid tribute to its traditions, for its history and culture by celebrating the Fiesta on or around the 4th of July each year. Originally the Fiesta was celebrated to thank mother nature and for the people to prepare for a planting season which the people would reveal a healthy crop. The church name for the Nuestra Senora de Dolores is not only the namesake of the Virgin but the very founding of the community of Las Vegas, NM in 1835, as a tribute to the church and by extension of the Virgin herself, the very fiesta itself would not exist, were it not for its very start of genesis from the Virgin's name and the initial sponsorship by the church which bears the Virgins' name. To now change the sponsorship or venue in this event is a travesty and insult to the very church itself and the very tradition of the people of Old Town, Las Vegas, New Mexico. A change is to trample on the historical contributions of the very founders of Las Vegas New Mexico, political expediency should not overcome a century and a half **inaudible 54:04** and community heritage and cultural contributions, historically our lady of sorrow has been recognized as the original mother catholic church of Las Vegas, New Mexico. The **inaudible 54:16** Fiesta tradition would this year be marking the 124 years of Fiesta held on or around the 4th of July, the tradition Fiesta kickoff was always initiated by a celebration of holy mass held at the Our Lady of Sorrows church followed by the coronation of the Las Vegas Fiesta Reina for the first time since 1888 , this will not happen, the fiestas in 2012 seemed to be kicking off with a parade on Wednesday the fourth and skipping Thursday, and on Friday, July 6th when Fiesta mass is to be held at Immaculate Conception church.that year we broke from the tradition we cannot concede that anyone can say that this is a 124th annual fiesta de las vegas celebration as tradition has now been broken.*

Mayor Gurulé-Girón stated "that year we broke from tradition and we cannot concede that anyone can say that this is a 124th Annual Fiesta de Las Vegas celebration, as tradition has now been broken." She spoke in detail of the



importance of keeping long standing tradition in the community of Las Vegas and that was the reasoning for the theme of the Fiesta parade.

Councilor Howell asked a question on insurance coverage for the Rodeo Days.

Events Coordinator Angie Lyster advised that the Rodeo had their own insurance and advised Councilor Howell that they did meet the dollar value of their insurance.

Councilor Howell asked why the Rodeo had listed that they were not responsible for accidents and felt that was contradictory to what had just been discussed.

Ms. Lyster stated that she did not know.

Interim City Manager Gallegos advised Councilor Howell that they would get an answer to his question and get back to him.

Councilor Romero advised that his same concerns were that of the internal control regarding the rodeo, which were addressed. He asked regarding Bennett's Carnival and only paying cash, why could they not write the City a check?

Interim City Manager Gallegos stated "they did write the City a check last year and it was for \$19,000.00."

Councilor Romero asked if it was cashed.

Interim City Manager Gallegos stated " it was cashed."

Councilor Romero asked "where do we stand budget wise on this?"

Interim Finance Director Tana Vega reported that the total Fiesta budget was \$88,000.00, with the City contributing \$25,000.00 and the rest was collected from vendor fees, sponsorships and added that the City was not expending any funds regarding the popcorn sales, that was through the Fiesta Committee for the Reina.

Councilor Romero had a concern in regards to the payment of main event headliners and stated that two performers were being paid in the range of \$21,000.00 and asked if there was fairness in how they determined how the musicians were paid.



Interim Community Development Director Marrujo advised that they followed the process of previous staff and explained that a scoring scale was used by the Fiesta committee to determine the amounts to be paid to performers which was based on experience and popularity.

Councilor Romero felt that this matter regarding fairness of payment to performers should be looked into for future Fiestas.

Lengthy discussion and questions were asked in regards to the RSW Cruise event and about the 4th of July expenditures.

Interim Finance Deputy Dominic Chavez and Interim Public Works Director Danny Gurule gave a detailed report regarding the demonstration and costs of the Asphalt Zipper and additional equipment if purchased and utilized by the City of Las Vegas.

Councilor Casey advised that she was present at the demonstration, she was very disappointed in the machine although thought the streets department needed something to help in repairing thousands of potholes throughout the city. She advised that they need to focus on purchasing something for that and thought it would be ideal to get local producers of asphalt for the project.

Mayor Gurulé-Girón advised Interim Public Works Director Gurule to set up a demonstration on other equipment that they could purchase as quickly as possible and see if we could acquire funding.

Lengthy discussion took place in regards to acquiring asphalt producers that meet state standards and different equipment that could be considered for pothole repair.

Councilor Howell stated that we should not treat the community like third world community and that they needed to do whatever it took to get our roads in good condition, working with Legislators and spending whatever it took to address the road repair.

Brief discussion took place in regards to temperatures needed for road repair.

Councilor Howell stated that the City needed the proper equipment on hand in order to get repairs done at the right time.

Councilor Romero stated that the investment might seem like a lot although thought that regarding maintenance agreements within city departments, it would offset the costs, longterm.

Mayor Gurulé-Girón stated she agreed with Councilor Romero and felt that they needed to find the right piece of equipment, thought that the zipper was not the right choice and would be a good move to go with the "flameless".

Interim City Manager Gallegos reported that the CDBG Grant for the Hot Springs Blvd. project-\$750,000.00 had been submitted and was first in the state to submit and complemented the document submitted. She added that the Recreation Center Day Camp Program was housing 150 children and that Carnegie Library provided lunch to them on Wednesdays.

### **FINANCE REPORT**

Interim Finance Director Tana Vega presented the Finance Report for the month ending May 31, 2019 and reported the General Fund revenues were at 95% (\$10,847,659.00) and expenditures at 76% (\$9,891,534.00). She advised that the Enterprise Funds revenues were at 94% (\$15,521,877.00) and expenditures came in at 79% (\$14,151,099.00). Ms. Vega reported the Recreation Center revenues were at 81% (\$541,044.00) and the expenditures were at 70% (525,883.00).

Brief discussion took place regarding the increase in revenue at Recreation Center.

### **CONSENT AGENDA**

Deputy Clerk Danielle Sena read the Consent Agenda into the record as follows:

1. Approval of Resolution No. 19-27 assigning official representatives and signatory authority for the SAP 19-D2520-GF grant agreement with the State of New Mexico Environment Department.

Resolution 19-27 was presented as follows:

**City of Las Vegas  
Resolution 19-27**



**A RESOLUTION OF THE CITY OF LAS VEGAS, NEW MEXICO AUTHORIZING THE ASSIGNMENT OF AUTHORIZED OFFICE(S), SIGNATORY AUTHORITY(IES), AND AGENTS(S)**

**WHEREAS**, the Governing Body of the City of Las Vegas of San Miguel County of the State of New Mexico shall enter into a grant agreement with the State of New Mexico Environment Department and;

**WHEREAS**, the City Municipal Charter as adopted March 2, 2012, provides for powers and duties of official city representatives related to succession and;

**WHEREAS**, the agreement is identified as Project Number SAP 19-D2520-GF.

**NOW, THEREFORE, BE IT RESOLVED** by the named applicant that:

Interim City Manager Ann Marie Gallegos or her successor is authorized to sign the grant agreement for this project, and

Interim Finance Director Tana Vega or successors are the AUTHORIZED OFFICER(S) who are authorized to sign all other documents necessary to fulfill the grant agreement and the promissory note requirements and to act as the project contact, and

Interim City Manager Ann Marie Gallegos and/or Interim Finance Director Tana Vega or successors are the SIGNATORY AUTHORITY (IES) who are authorized to sign reimbursement requests for this project.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor Tonita Gurulé-Girón

ATTEST:

\_\_\_\_\_  
Cassandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY:

\_\_\_\_\_  
Esther Garduño-Montoya, City Attorney

2. Approval to reject request for bids #2019-11 for the Valley & Chavez Street gas line replacement.

Councilor Casey made a motion to approve the consent agenda as read into the record. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                  |     |                        |     |
|------------------|-----|------------------------|-----|
| David G. Romero  | Yes | David A. Ulibarri, Jr. | Yes |
| Barbara A. Casey | Yes | Vincent Howell         | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

### **BUSINESS ITEMS**

1. Approval/Disapproval of Resolution No. 19-17 to transfer vehicles to New Mexico Highlands University Police/Security Department.

Police Chief David T. Bibb III advised that the Las Vegas Police Department wished to transfer four vehicles to New Mexico Highlands University Police/Security Department. The said vehicles (3 Crown Victorias with over 100,000 miles and a 1996 Van) were excess and have no value to the Police Department and would serve a much needed purpose to New Mexico Highlands University Police/Security Department.

Councilor Howell made a motion to approve Resolution 19-17 to transfer vehicles to New Mexico Highlands University Police/Security Department. Councilor Casey seconded the motion.

Resolution 19-17 was presented as follows:

CITY OF LAS VEGAS

#### RESOLUTION NUMBER 19-17

A RESOLUTION DONATING TWO 2008 FORD CROWN VICTORIA POLICE INTERCEPTOR, ONE 2007 FORD CROWN VICTORIA POLICE INTERCEPTOR, AND ONE 1996 DODGE VAN BELONGING TO THE CITY LAS VEGAS TO NEW MEXICO HIGHLANDS UNIVERSITY POLICE / SECURITY DEPARTMENT AND DIRECTING THE CITY OF LAS VEGAS POLICE DEPARTMENT TO TRANSFER SAID PROPERTY TO NEW MEXICO HIGHLANDS UNIVERSITY POLICE / SECURITY DEPARTMENT.

WHEREAS, the City of Las Vegas wishes to transfer said vehicles to New Mexico Highlands University, and are described as follows:

2008 Ford Crown Victoria Police Interceptor VIN# 2FAFP71V98X139037 – mileage 112605





Fire Chief Billy Montoya advised that the Las Vegas Fire Department was moving forward in replacing and aging Fire Apparatus at an estimated cost of \$403,677.00. The loan amount from the New Mexico Finance Authority is \$219,196.00.

Mayor Gurulé-Girón asked how much of this was received from the Legislature.

Fire Chief Montoya advised that nothing was received from the Legislature for this apparatus, that it would be for the second apparatus.

Councilor Casey asked if the City could afford the \$219,000.00 to pay for the apparatus.

Interim Finance Director Vega advised that the funding to pay off this loan would come from the State Fire Protection Fund (protection monies that are awarded on a yearly basis). She advised that no city monies would be used to pay off the loan.

Councilor Casey had a question regarding page 162 of the loan agreement and read, "*I, Casandra Fresquez, the duly qualified and acting City Clerk of the City of Las Vegas, New Mexico, do hereby certify...*" She stated that she felt that the witness document with Casandra's name on it was a legal document and that the document should reflect whoever would sign it and asked who would sign it being that she was on administrative leave and was not here.

City Attorney Esther Garduno Montoya stated "we have a City Clerk, Casandra Fresquez, we have a Deputy City Clerk Danielle Sena, the Deputy City Clerk signs for the City Clerk".

Councilor Casey asked "shouldn't it not say, 'I Danielle Sena as Deputy City Clerk', because she is here to witness all of that, to me this is not being truthful, so I am concerned on a legal document like this, it should reflect accurately and correct, who is signing and what the position of that person is".

Mayor Gurulé-Girón stated that she posed that question to an outside attorney and he said it would be best to leave it there until Council made a final determination on that position.

Councilor Casey stated "we have made a final determination on that position, you are the one who refuses to accept that."



Mayor Gurulé-Girón stated that was in her authority, and initially that was her recommendation and advised that she spoke with Attorney Quinones.

Councilor Romero stated that the main concern was the language "in witness whereof, I have hereunto..." was where his concern was. He stated that Carlos Quinones was an attorney paid by the City for the Mayor, in defense of their suit.

Mayor Gurulé-Girón stated we spent \$80,000.00 on a special audit and maybe that should be looked into, and that was taxpayer money.

Discussion took place regarding the process of signing for the City Clerk.

Councilor Romero asked City Attorney for her opinion regarding this matter.

City Attorney Garduno Montoya stated "my opinion is that the City Clerk is attesting to the signature of the Mayor, I believe what we are doing and I recommend that we do, is that our Deputy City Clerk signs off on it, "*Casanda Fresquez*" and she puts her initials, she has the authority to do that."

Councilor Romero advised that he was going off of her recommendation and that he trusted her.

Councilor Howell asked for the record, "Madame Attorney, so you're saying that it's legal to do what we're going to do, with having Ms. Sena sign off on it?"

City Attorney Garduno Montoya stated "yes that's been the practice and is my recommendation she has the authority of deputy city clerk to sign off on it."

Councilor Casey asked "so she would sign *Casandra Fresquez* by *Danielle Sena Deputy*...?"

City Attorney Garduno Montoya stated "correct".

Councilor Howell made a motion to approve Resolution 19-26 for the approval of a loan agreement and closing documents between the City of Las Vegas New Mexico and the New Mexico Finance Authority that was initiated during the March 20, 2019 Council Meeting. Councilor Ulibarri, Jr. seconded the motion.

Resolution 19-26 was presented as follows:

*Due to the length of document, a complete copy may be obtained at the City Clerk's Office.*

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                  |     |                        |     |
|------------------|-----|------------------------|-----|
| Barbara A. Casey | Yes | David G. Romero        | Yes |
| Vincent Howell   | Yes | David A. Ulibarri, Jr. | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

3. Approval/Disapproval of Resolution No. 19-31 assuring the available matching funds, amount being \$253,556.00, state \$190,167.00, City \$63,389.00 which is 25% of total cost of Phase II.

Interim Public Works Director Daniel Gurule advised that as part of the Municipal Arterial Program (MAP) Agreement submittal criteria for New Mexico Department of Transportation, a Resolution of support was required for our Local Governing Body assuring matching funds accompany agreement. In complying with the criteria, staff is requesting that this resolution be approved for the Plan, Design, Construction, Construction Management, Reconstruction, Pavement Rehabilitation, Drainage and Misc. Improvements to Mountain View Drive, for this II phase of the project. Budgetary provisions will be made in this Public Works Department, during the 2019/2020 fiscal cycle.

Councilor Casey questioned the conflict between Business Item #3 and Business Item #4, stating that one said we had the funding to meet the \$63,000.00 match and the other said we didn't and wanted to participate in the State waiver, she asked for clarification.

Interim City Manager Gallegos advised that they were prepared to match the funds up to \$63,389.00 although they could apply for a waiver and may be awarded the waiver and we could get fully funded for the project.

Councilor Romero asked that the contact list be updated with the D.O.T.

Councilor Howell made a motion to approve Resolution 19-31 assuring the available matching funds, amount being \$253,556.00, state \$190,167.00, City \$63,389.00 which is 25% of the total cost of Phase II. Councilor Ulibarri, Jr. seconded the motion.



Resolution 19-31 was presented as follows:

**CITY OF LAS VEGAS, NM  
RESOLUTION NO.19-31**

A Resolution Supporting the New Mexico Department of Transportation Municipal Arterial Program(MAP) for the Plan Design, Construction Management, Construction, Reconstruction, Pavement Rehabilitation, Drainage Improvements and Miscellaneous Construction for Mountain View Drive for this second phase of five.

**Whereas**, the cost of the program stated in this resolution is Two Hundred Fifty Three Thousand, Five Hundred Fifty Six, (\$253,556.00); and

**Whereas**, the City of Las Vegas Governing Body has declared improvements are needed to Mountain View Drive a necessity for the good and well being of citizens of Las Vegas, New Mexico and to support this Agreement for funding to accomplish the work; and

**Whereas**, the City of Las Vegas will work in accordance with the funding requirements of the Municipal Arterial program, and will budget \$63,389.00 which is 25% of total cost of project of \$253,556.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the local governing body of the City of Las Vegas that the Agreement for the above funding be submitted to the New Mexico Department of Transportation.

**PASS, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of June, 2019

CITY OF LAS VEGAS

\_\_\_\_\_  
TONITA GURULE-GIRON  
MAYOR

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, CITY CLERK

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                        |     |                  |     |
|------------------------|-----|------------------|-----|
| David G. Romero        | Yes | Barbara A. Casey | Yes |
| David A. Ulibarri, Jr. | Yes | Vincent Howell   | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

4. Approval/Disapproval of Resolution No. 19-32 participation in Local Government Road Fund Program and request for Match Waiver administered by New Mexico Department of Transportation (NMDOT).

Interim Public Works Director Gurule advised that the City of Las Vegas had a limited tax base, which limits the funding for meeting the proportional matching share; and, a fund exists in the NMDOT appropriated by New Mexico State Legislature for the Public Entities in need of "Hardship" match money and the City of Las Vegas requests participation in this Match Waiver Program in the amount of \$63,389.00.

Councilor Casey made a motion to approve Resolution 19-32, participation in Local Government Road Fund Program and request for Match Waiver administered by New Mexico Department of Transportation (NMDOT). Councilor Ulibarri, Jr. seconded the motion.

Resolution 19-32 was presented as follows:

**STATE OF NEW MEXICO**  
**CITY OF LAS VEGAS**  
Resolution No.19-32  
**PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM AND REQUEST FOR**  
**MATCH WAIVER ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF**  
**TRANSPORTATION**

WHEREAS, the City of Las Vegas and the New Mexico Department of Transportation (NMDOT) have entered into a Municipal Arterial Program (MAP);

WHEREAS, the total cost of the project will be \$253,556.00, NMDOT share being \$190,167.00 and City of Las Vegas share being \$63,389.00 which is 25% of project;

WHEREAS, the City of Las Vegas proportional matching share shall be \$63,389.00 25% if a "Hardship" for "Match Waiver" is not deemed to be present by the Department of Finance Administration and the NMDOT;

WHEREAS, the City of Las Vegas shall put all costs, which exceed the total amount of \$190,167.00;

WHEREAS, the City of Las Vegas has a limited tax base which limits the funding for meeting the proportional matching share and a fund exists in the NMDOT appropriated by the New Mexico State Legislature for Public Entities in need of "Hardship";

WHEREAS, the City of Las Vegas requests participation in this Match Waiver Program in the amount of \$63,389.00 to acquire funds;

WHEREAS, the project for the MAP Agreement is to be adopted and has a priority standing for the proportional match waiver toward completion of the project;



NOW THEREFORE, BE IT RESOLVED, by the City of Las Vegas to enter into the MAP, Control No.L400474, with the NMDOT FY19 Local Government Road Fund Project, for the Plan, Design, Construction, and Construction Management, Pavement Rehabilitation, Drainage and Misc. Construction for Mountain View Drive within the City limits.

PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_ DAY OF June, 2019

ATTEST:

CITY OF LAS VEGAS

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Tonita Gurule- Giron Mayor

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                        |     |                  |     |
|------------------------|-----|------------------|-----|
| Vincent Howell         | Yes | David G. Romero  | Yes |
| David A. Ulibarri, Jr. | Yes | Barbara A. Casey | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

5. Approval/Disapproval of Resolution No. 19-33 assuring the available matching funds, amount being \$51,053.00, state \$38,290.00, City \$12,763.00 which is 25% of total cost of Phase III.

Interim Public Works director Gurule advised that as part of the Cooperative Agreement submittal criteria for New Mexico Department of Transportation, a resolution of support is required from our Local Governing body assuring matching funds accompany agreement. In complying with the criteria, staff is requesting that this resolution be approved for the Plan, Design, Construction, Construction Management, Reconstruction, Pavement Rehabilitation, Drainage and Misc. Improvements to West National Avenue, for this III phase of the project. Budgetary provisions will be made in this Public Works Department, during the 2019/2020 cycle.

Councilor Romero made a motion to approve Resolution 19-33 assuring the available matching funds, amount being \$51,053.00, state \$38,290.00, city \$12,763.00 which is 25% of total cost of Phase III. Councilor Howell seconded the motion.

Resolution 19-33 was presented as follows:

CITY OF LAS VEGAS, NM  
RESOLUTION NO.19-33

A Resolution Supporting the New Mexico Department of Transportation Municipal Cooperative Agreement (COOP) Control No. L400446 for the Plan Design, Construction Management, Construction, Reconstruction, Pavement Rehabilitation, Drainage Improvements and Miscellaneous Construction for West National Avenue for this third phase of five.

**Whereas**, the cost of the program stated in this resolution is Fifty One Thousand Fifty Three (\$51,053.00); and

**Whereas**, the City of Las Vegas Governing Body has declared improvements are needed to West National Avenue a necessity for the good and well being of citizens of Las Vegas, New Mexico and to support this Cooperative Agreement for funding to accomplish the work; and

**Whereas**, the City of Las Vegas will work in accordance with the funding requirements of the Municipal Cooperative Agreement program, and will budget \$12,763.00 which is 25% of total cost of project of \$51,053.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the local governing body of the City of Las Vegas that the Cooperative Agreement for the above funding be submitted to the New Mexico Department of Transportation.

**PASS, APPROVED, AND ADOPTED this \_\_\_\_\_ day of June, 2019**

CITY OF LAS VEGAS

\_\_\_\_\_  
TONITA GURULE-GIRON  
MAYOR

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, CITY CLERK

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                        |     |                  |     |
|------------------------|-----|------------------|-----|
| David A. Ulibarri, Jr. | Yes | Barbara A. Casey | Yes |
| Vincent Howell         | Yes | David G. Romero  | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

6. Approval/Disapproval of Resolution No. 19-34 participation in Local Government Road Fund Program and request for Match Waiver administered by New Mexico Department of Transportation (NMDOT).



Interim Public Works Director Gurule advised that the City of Las Vegas had a limited tax base, which limits the funding for meeting the proportional matching share; and, a fund exists in the NMDOT appropriated by New Mexico State Legislature for the Public Entities in need of "Hardship" match money and the City of Las Vegas requested participation in this Match Waiver Program in the amount of \$12,763.00.

Councilor Casey made a motion to approve Resolution 19-34, participation in Local Government Road Fund Program and request for Match Waiver administered by New Mexico Department of Transportation (NMDOT). Councilor Howell seconded the motion.

Resolution 19-34 was presented as follows:

**STATE OF NEW MEXICO**

**CITY OF LAS VEGAS**

**Resolution No.19-34**

**PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM AND REQUEST FOR  
MATCH WAIVER ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF  
TRANSPORTATION**

WHEREAS, the City of Las Vegas and the New Mexico Department of Transportation (NMDOT) have entered into a Municipal Cooperative Agreement (COOP);

WHEREAS, the total cost of the project will be \$51,053.00, NMDOT share being \$38,290.00 and City of Las Vegas share being \$12,763.00 which is 25% of project;

WHEREAS, the City of Las Vegas proportional matching share shall be \$12,763.00 25% if a "Hardship" for "Match Waiver" is not deemed to be present by the Department of Finance Administration and the NMDOT;

WHEREAS, the City of Las Vegas shall put all costs, which exceed the total amount of \$38,290.00;

WHEREAS, the City of Las Vegas has a limited tax base which limits the funding for meeting the proportional matching share and a fund exists in the NMDOT appropriated by the New Mexico State Legislature for Public Entities in need of "Hardship";

WHEREAS, the City of Las Vegas requests participation in this Match Waiver Program in the amount of \$12,763.00 to acquire funds;

WHEREAS, the project for the COOP program is to be adopted and has a priority standing for the proportional match waiver toward completion of the project;

NOW THEREFORE, BE IT RESOLVED, by the City of Las Vegas to enter into the COOP Agreement, Control No. L400446, with the NMDOT FY19 Local Government Road Fund Project, for the Plan, Design, Construction, and Construction Management, Pavement Rehabilitation, Drainage and Misc. Construction for West National Avenue within the City limits.

PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_\_ DAY OF June, 2019

ATTEST:

CITY OF LAS VEGAS

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Tonita Gurule- Giron, Mayor

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |                        |     |
|-----------------|-----|------------------------|-----|
| David G. Romero | Yes | David A. Ulibarri, Jr. | Yes |
| Vincent Howell  | Yes | Barbara A. Casey       | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

7. Approval/Disapproval of Resolution No. 19-36, acceptance of Capital Outlay Grant in the amount of \$652,214.00.

Interim Public Works Director Gurule advised that as part of DFA and the New Mexico Department of Transportation submittal criteria it is required that a resolution of support is required from our Local Governing Body accompanies agreement. In complying with the criteria, staff is requesting that this resolution be approved for the Plan, Design, Construction, Construction Management, Reconstruction, Pavement Rehabilitation, Drainage and Misc. Improvement to Salazar Street and Romero Street from Grant Street to West National Street.

Councilor Ulibarri, Jr. thanked Mr. Gurule for his work and advised that he had lobbied this at the Legislature for the two streets and thanked Senator Campos and Representative Salazar for approving the funding. He thanked Mayor and Council for their help in improving the West side.

Councilor Romero made a motion to approve Resolution 19-36, acceptance of Capital Outlay Grant in the amount of \$652,214.00. Councilor Howell seconded the motion.

Resolution 19-36 was presented as follows:

CITY OF LAS VEGAS, NM  
Resolution No.19-36

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM  
BY New Mexico DEPARTMENT OF  
TRANSPORTATION



**WHEREAS;** the City of Las Vegas and the New Mexico Department of Transportation (NMDOT) with DFA have entered into an agreement;

**WHEREAS;** the total cost of the project will be Six Hundred Fifty Two Thousand, Two Hundred Fourteen Dollars, (\$652,214.00) funding to be administered from DFA and NMDOT Capital Appropriations Funds;

**WHEREAS;** the share amount from DFA and the NMDOT shall be \$652,214.00;

**WHEREAS;** the City of Las Vegas shall pay all costs, which exceed the total amount of \$652,214.00;

**WHEREAS;** the City of Las Vegas will abide with the terms and conditions of the Agreement;

**NOW THEREFORE, BE IT RESOLVED,** by the City of Las Vegas to enter into this Agreement Control Number C4193395, Appropriation ID D3395, with DFA and the New Mexico Department of Transportation Capital Appropriations Funds, Laws of 2019 Chapter 277, Section 40 Subsection 125, for the plan, design, construction, and construction management to Salazar Street and Romero Street from Grant to West National Ave. within the control of the City of Las Vegas, in San Miguel County, New Mexico.

PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_\_ DAY OF JUNE, 2019.

CITY OF LAS VEGAS

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
TONITA GURULE-GIRON  
MAYOR

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                        |     |                  |     |
|------------------------|-----|------------------|-----|
| David A. Ulibarri, Jr. | Yes | Barbara A. Casey | Yes |
| Vincent Howell         | Yes | David G. Romero  | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

### **COUNCILORS' REPORTS**

Councilor Ulibarri, Jr. stated that in the area of the right of way on Salazar Street to Grant Street, the weeds were very high and asked if they could be addressed, he thanked Public Works Department for their work on the potholes.

Councilor Casey stated to Interim City Manager, that the email she sent to her, was in regards to Code Enforcement drainage issues on 8th & Williams and stated there were mattresses, old couches and trash in the area of 3rd and 4th Streets.

She added that there were abandoned cars parked on Washington Street, between 4th & 6th, creating parking issues and asked if the Senior Citizens vacancies had been filled.

Senior Center Manager Wanda Salazar advised that they had not been filled, they have been attempting to fill those positions although had trouble keeping employees and that those vacancies had been open for about 6 months.

Councilor Casey stated that letters received from Samaritan House, Chamber of Commerce and Hermit's Peak Watershed Alliance were requesting partnerships with the City. She advised that Samaritan House was struggling with funding due to funds being stolen and were asking for \$30,000.00 for next year, Chamber of Commerce asking for collaboration and support to get re-established and Hermit's Peak Watershed Alliance needed \$45,000.00 to complete Phase II Riverwalk revitalization. She stated that they should take a look at the budget to help these endeavors, due to them providing services to the citizens of the city.

Brief discussion took place regarding the Mayor collaborating with the Chamber of Commerce and some funding that had already been provided.

Councilor Casey stated that the area of Highlands University campus, West National from 8th and 12th Streets was in bad shape, an embarrassment to tourists, a bad example of our city and was in dire need of repair. She asked who was responsible for that and made clear that she was not asked by anyone to request this.

Mayor Gurulé-Girón advised that the street in that area was the responsibility of the university, that they receive funding for that and have a contract with Mark Doninguez for repairs.

Councilor Casey wanted to thank the Police Department for all they do as they work in the line of danger and spoke with some officers on a personal level and that she had great respect and esteem for them as well as for Chief Bibb and Deputy Chief Gallegos.

Mayor Gurulé-Girón recognized both Chief Bibb and Deputy Chief Gallegos for demonstrating great leadership and mentorship to the Police Department and thanked them all for their hard work.



Councilor Howell informed Public Works Director that the stop sign on Calle Alegre was missing and needed to be replaced and informed that the Chamber of Commerce had been struggling to set up a meeting at Pendaries Resort and would inform to set up meeting to meet with the Mayor here.

Councilor Howell thanked Community Development staff for their hard work on the Fiestas and thought it would be a good turn out.

Councilor Ulibarri, Jr. asked if the sign at the Macario property could be replaced.

### **EXECUTIVE SESSION**

None at this time.

### **ADJOURN**


Councilor Casey made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

|                  |     |                        |     |
|------------------|-----|------------------------|-----|
| David G. Romero  | Yes | Vincent Howell         | Yes |
| Barbara A. Casey | Yes | David A. Ulibarri, Jr. | Yes |

Recorder Danielle Sena re-read the motion and advised that the motion carried.

  
\_\_\_\_\_  
Mayor Tonita Gurulé-Girón

ATTEST:

  
\_\_\_\_\_  
Casandra Fresquez, City Clerk